IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE
CIVIL APPLICATION NO. 78 OF 2007

IN
WRIT PETITION NO. 5239 OF 2005

The Executive Engineer
Maharashtra Rajya Vidut Mandal.... Petitioner

versus

Suchita Vijay Survey..... Respondent.

Ms. A.R.S. Baxi for the petitioner
Ms. Dipti Wadkar for the respondent

CORAM; A.P. DESHPANDE, J.
DATED; 16TH MARCH, 2007

P.C.;

1. The prayer clause (c) as it appears in the writ petition reads thus:

> " Pending the hearing and final disposal of this writ petition further proceedings pursuant to the judgment and award passed in reference (IDA) no. 3/97 be stayed."

The above prayer has been granted by an order dated 23-2-2006.

2. At a later point of time a learned Single Judge of this court while passing the order dated 29th August

2006 has interpreted the said prayer by observing that "It is thus clear that the operation of the Award has not been stayed by this court and the stay granted is specifically regarding the future proceedings arising out of the impugned award."

3. Thereafter the present civil application is filed seeking amendment in the prayer clause. The same cannot be grtanted and hence civil application stands rejected.

4. At this stage the learned counsel for the petitioner seeks liberty to file appropriate stay application. Permission to make such application is granted. C.A. is rejected.

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